

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**UNITED STATES OF AMERICA**

**V.**

**NO. 4:17-CR-131-1**

**SCOTT E. NELSON**

**ORDER CONTINUING TRIAL**

On January 26, 2021, Scott E. Nelson and the government filed a joint motion to continue the March 1, 2021, trial date. Doc. #268. Citing as grounds the state of the ongoing COVID-19 pandemic, as well as the Standing Orders in this district regarding the same, the motion represents:

[T]he trial of this matter is expected to last a number of weeks involving numerous witnesses from both the government and the defense. ... A trial at this juncture of the COVID-19 Public Health Emergency would not be in the interests of justice. Bringing in a jury panel for service would require those called to weigh their health versus their civic duty. The physical constraints of the courthouse would necessarily require venire members, the chosen jury, and all witnesses to be within six feet of another at all times during the pendency of the trial. It is possible, if not likely, that a member of the jury or an essential member of the Court staff, defense counsel or prosecution could be infected or exposed to the virus during the course of the trial or have a family member that is infected. In such a case, it would be extremely difficult for the Court to implement the recommended quarantine procedures and still conduct the trial.

*Id.* at PageID 1173. “For the safety of all,” the parties “request that the trial in this matter be continued until the threat from the COVID-19 virus can be managed to allow for an orderly trial.”

*Id.*

Because the Court concludes that the ends of justice served by granting a continuance to mitigate exposure of COVID-19 to all who will be involved in the multi-week trial outweigh the best interest of the public and Nelson in a speedy trial, the motion [268] is **GRANTED**.

Trial is continued to **Monday, June 7, 2021**. The deadline to file any motions in limine, and to file any objections to anticipated exhibits and witnesses, is April 12, 2021. The period of

delay from this date until the commencement of such trial<sup>1</sup> shall be excluded from all computations relative to the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A).

**SO ORDERED**, this 1st day of February, 2021.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> A pretrial conference will be set by separate notice.